

NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY  
PUBLIC NOTICE OF OPPORTUNITY TO COMMENT ON DRAFT PERMIT  
FOR A SOLID WASTE MANAGEMENT FACILITY UNDER  
THE NORTH DAKOTA SOLID WASTE MANAGEMENT RULES

FACILITY NAME: Rainbow Energy Center, LLC – Permit 0033  
Rainbow Energy Center, LLC – New Permit  
Great River Energy – Permit 0091

APPLICANT: Rainbow Energy Center, LLC  
919 South 7<sup>th</sup> Street, Suite 405  
Bismarck, ND 58504

Great River Energy  
12300 Elm Creek Boulevard  
Maple Grove, MN 55369-4718

BACKGROUND:

Permit 0033

On August 19, 2021, and August 20, 2021, the North Dakota Department of Environmental Quality (Department) received a permit application for a modification for Coal Creek Station's special waste landfill and surface impoundment facility.

Great River Energy (GRE) currently owns and operates a special waste landfill and surface impoundment facility, regulated under Permit 0033 on approximately 2,560 acres, of which 615 acres are usable for solid waste activities, located in Sections 8, 9, 16 and 17, Township 145 North, Range 82 West in McLean County, ND. This modification is to address a change in ownership of Coal Creek Station. Rainbow Energy Center, LLC (REC) is purchasing Coal Creek Station from GRE. REC submitted the permit modification to address the ownership change, however, no operational changes are being proposed. This review only addresses the change in ownership. The facility was first permitted in 1983.

Permit 0033 includes the following solid waste management units:

- The Drains Pond System
- Upstream Raise 91
- Upstream Raise 92
- Southeast Section 16 Landfill
- Evaporation Ponds 91, 92, 93, and 94

The Department believes that a permit which meets the requirements of the North Dakota Solid Waste Management Rules and is protective of human health and the environment can be issued to Rainbow Energy Center, LLC and has prepared a Draft Permit for public review and comment.

### New Permit

On August 20, 2021, the North Dakota Department of Environmental Quality (Department) received a permit application for a modification for Coal Creek Station's special waste landfill and surface impoundment facility.

Great River Energy (GRE) currently owns and operates two closed special waste landfills, 1 active special waste landfill and a surface impoundment facility, regulated under Permit 0091 on approximately 138 acres, of which 29 acres are usable for current solid waste activities, located in the NW1/4 of Section 5, Township 145 North, Range 82 West; E1/2 of Section 31, Township 145 North, Range 82 West; and the W1/2 of Section 32, Township 146 North, Range 82 West in McLean County, ND. This modification is to address a change in ownership of Coal Creek Station. Rainbow Energy Center, LLC (REC) is purchasing Coal Creek Station from GRE. GRE will be retaining ownership of the two closed special waste landfills and REC will own the 1 active special waste landfill and surface impoundment. REC submitted the permit modification for the active special waste landfill and surface impoundment to address the ownership change, however, no operational changes are being proposed. This review only addresses the change in ownership. The facility was first permitted in 1994. A new permit number will be assigned to this facility. The 2 closed special waste landfills will remain under Permit 0091.

The following solid waste management units will be under the new permit number:

- Special Waste Landfill – located in Section 32, Township 146 North, Range 82 West in McLean County, ND)
- Surface Impoundment – Contact Water Pond

### Permit 0091

On August 19, 2021, and August 24, 2021, the North Dakota Department of Environmental Quality (Department) received a permit application for a modification for Great River Energy's – Coal Creek Station's (GRE) closed special waste landfills facility.

Great River Energy (GRE) currently owns and operates two closed special waste landfills, 1 active special waste landfill and a surface impoundment facility, regulated under Permit 0091 on approximately 138 acres, of which 29 acres are usable for current solid waste activities, located in the NW1/4 of Section 5, Township 145 North, Range 82 West; E1/2 of Section 31, Township 145 North, Range 82 West; and the W1/2 of Section 32, Township 146 North, Range 82 West in McLean County, ND. This modification is to address a change in ownership of Coal Creek Station. Rainbow Energy Center, LLC (REC) is purchasing Coal Creek Station from GRE. GRE will be retaining ownership of the two closed special waste landfills and REC will own the 1 active special waste landfill and surface impoundment. GRE submitted the permit modification for the 2 closed special waste landfills to address the ownership change, however, no operational changes are being proposed. This review only addresses the change in ownership. The facility was first permitted in 1994.

Permit 0091 includes the following solid waste management units:

- Closed Special Waste Landfill – located in Section 5, Township 145 North, Range 82 West in McLean County, ND)

- Closed Special Waste Landfill – located in Section 31, Township 145 North, Range 82 West in McLean County, ND)

### PUBLIC COMMENTS AND HEARING

As required by Section 33.1-20-03.1-03 of the North Dakota Administrative Code, the Draft Permit will be available for public review and comment for thirty (30) days following publication of the Public Notice. The public comment period begins September 13, 2021 and ends October 15, 2021. During that time, any interested persons may submit written comments to the Department on the Draft Permit. The Department has scheduled a public hearing on the Draft Permit on October 5, 2021 at 6:30pm at the Department's Environmental Training Center, 2639 East Main Avenue, Bismarck, ND. The public hearing will also be held via telephone. Instructions for this hearing will be available no later than September 30, 2021 on the Department's website <https://deg.nd.gov> or by contacting the Department. Prior to the public hearing, a public information meeting will be held 6:00pm.

The North Dakota Department of Environmental Quality will consider all comments prior to taking any action on the permit. Comments, questions and written communication should be directed to:

Charles R. Hyatt, Director  
North Dakota Department of Environmental Quality  
Division of Waste Management  
4201 Normandy St.  
Bismarck, ND 58503-1324

Comments may also be sent via e-mail to [solidwaste@nd.gov](mailto:solidwaste@nd.gov).

The Draft Permit and Permit Application are available for review during the hours of 8:30 a.m. to 4:00 p.m., Monday through Friday, at the North Dakota Department of Environmental Quality, Division of Waste Management, 4201 Normandy St., Bismarck, ND. A copy of this Public Hearing Notice is also on the Department's website at: <https://deg.nd.gov/PublicNotice.aspx>

Anyone requiring special access or accommodations to review the Draft Permit may contact the Department at 701-328-5166.